This application has been reviewed in light of the Office Action dated November 28, 2007. Claims 1-9 and 11-25 remain in this application, of which Claims 2-7 and 15-25 have been withdrawn from consideration. Claim 1, the only independent claim under consideration, has been amended to define still more clearly what Applicant regards as his invention. Favorable reconsideration is requested.

Claims 1, 8 and 9 were rejected under 35 U.S.C. § 103(a) as being unpatentable over U.S. Patents 6,167,358 (Othmer et al.) and 6,329,139 (Nova et al.), taken in combination.

As shown above, Applicant has amended independent Claim 1 in terms that more clearly define what he regards as his invention. Applicants submits that this amended independent claim, together with the remaining claims dependent thereon, is patentably distinct from the cited prior art for at least the following reasons.

Claim 1 is directed to an information processing method that utilizes a medical examination device as a medium which has been assigned a unique identification used for medical examinations and diagnoses, and a memory into which particular additional information about the medical examination device is remotely writable through a network based on the identification of the medical examination device. The method comprises identifying the identification of the medical examination device, and writing down in the memory the particular additional information about the medical examination device while correlating the particular additional information with the identification of the medical examination device. According to Claim 1, the particular additional information relates to an inspection result and a usage record of

the medical examination device. The method also comprises sharing and utilizing the particular additional information about the medical examination device among a plurality of users based on the identification of the medical examination device. That sharing and utilizing further comprises defining and maintaining a division between at least two classes of information stored in the memory, and permitting a patient to view only information in a first of those two classes but not information in the second of those two classes, and permitting at least one user other than the patient to view information that is in the second of those two classes.

Among other notable features of Claim 1, thus, is that a patient is able to see some but not all of the information in the memory relating to the medical examination device in question, such as for example the diagnostic results obtained using the device, and inspection records relating to the device. Other information, in contrast, is not visible to the patient, but can be viewed by another user (such as a physician). This feature is discussed, for example, in the paragraph bridging pages 20 and 21 of the application as filed.[1]

Othmer relates to a system in which a computer-based system, or a plurality of such systems, can be remotely monitored remotely, by means of generating and gathering black-box data. Such data can then be used for various purposes, such as observing the operation of a newly-developed software application, to determine whether the software contains any as yet unnoticed bugs (see col. 8, lines 19-65).

While *Othmer* discusses mostly the application of this approach to monitoring a computer network or system, that patent mentions that the same approach could be applied to

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[1] It is of course to be understood that the claim scope is not limited by the details of this or any other particular embodiment that may be referred to.

monitoring other types of systems, including blood glucose monitors or medical laboratory equipment (col. 4, lines 19-35).

Othmer provides for a query tool 70 (see Fig. 2) by means of which the developer can analyze the stored data (col. 9, lines 7-21). Nonetheless, Applicant submits that neither the query tool 70, nor anything else found in *Othmer*, would teach or suggest a method in which the sharing and utilizing of stored information includes "defining and maintaining a division between at least two classes of information stored in the memory, and permitting a patient to view only information in a first of those two classes but not information in the second of those two classes, and permitting at least one user other than the patient to view information that is in the second of those two classes", as recited in Claim 1. For at least that reason, Applicant submits that Claim 1 is allowable over *Othmer* taken alone.

Moreover, even if *Nova* is taken as teaching all that it is cited for, and even if the proposed combination thereof with *Othmer* is deemed to be a permissible one, the result of such combination would not provide any suggestion of the quoted feature of Claim 1.

A review of the other art of record has failed to reveal anything which, in Applicant's opinion, would remedy the deficiencies of the art discussed above, as references against independent Claim 1, and that claim is therefore believed patentable over the art of record.

The other claims under consideration in this application are each dependent from Claim 1, and are therefore believed patentable for the same reasons. Since each dependent claim is also deemed to define an additional aspect of the invention, however, the individual reconsideration of the patentability of each on its own merits is respectfully requested.

This Amendment After Final Action is believed clearly to place this application in condition for allowance and, therefore, its entry is believed proper under 37 C.F.R. § 1.116. In any event, however, entry of this Amendment After Final Action, as an earnest effort to advance prosecution and reduce the number of issues, is respectfully requested. Should the Examiner believe that issues remain outstanding, it is respectfully requested that the Examiner contact Applicant's undersigned attorney in an effort to resolve such issues and advance the case to issue.

In view of the foregoing amendments and remarks, Applicant respectfully requests favorable reconsideration and early passage to issue of the present application.

Applicant's undersigned attorney may be reached in our New York office by telephone at (212) 218-2100. All correspondence should continue to be directed to our below listed address.

Respectfully submitted,

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